

Message Text

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INFO OCT-01 SS-14 ADP-00 NSC-10 CIAE-00 INR-10 NSAE-00

RSC-01 L-02 ACDA-10 GAC-01 MBFR-02 PM-03 DODE-00

SAJ-01 IO-03 PRS-01 RSR-01 /070 W
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R 162013 Z MAY 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5089

INFO AMEMBASSY HELSINKI

AMEMBASSY VIENNA

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

S E C R E T SECTION 01 OF 03 BONN 07047

LIMDIS NOFORN

HELSINKI FOR MPT; VIENNA FOR MBFR

E. O. 11652: GDS

TAGS: PFOR, GW, UR

SUBJECT: CSCE: CHANCELLOR'S BRIEFING PAPER FOR BREZHNEV
VISIT TO BONN.

SUMMARY: CHANCELLOR BRANDT'S BRIEFING PAPER ON CSCE
ASPECTS OF BREZHNEV VISIT TO BONN, WHICH FONOFF SOURCE
SHOWED TO EMBOFF, ALSO PROVIDES GOOD REVIEW OF LATEST
FRG THINKING ON RANGE OF CSCE ISSUES. PAPER ADVOCATES
THAT CHANCELLOR STRONGLY RESIST SOVIET PRESSURE TO
COMPRESS CSCE TIMETABLE OR TO LINK CONCLUSION OF CSCE TO
SUBSEQUENT OPENING OF MBFR NEGOTIATIONS. PAPER ALSO
TAKES TOUGH POSITION ON LIMITED REFERENCES TO PRINCIPLES
IN HUMAN CONTACTS AND ALSO ECONOMIC COOPERATION BASKETS.
ACCEPTABLE FORMULATION ON BASKET- I PRINCIPLES, APPARENTLY
AGREEABLE TO USSR, ALSO SPELLED OUT. BRIEFING PAPER
FAVORS GENEVA VENUE FOR COMMITTEE STAGE AND VIENNA VENUE
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FOR FINAL STAGE, BUT DOES NOT EXCLUDE HELSINKI AS SITE OF THIRD STAGE. THERE FOLLOWS DETAILED REVIEW OF CHANCELLOR'S BRIEFING PAPER, PER EMBOFF'S NOTES. END.

1. TIMING ASPECTS. US AND USSR HAVE AGREED THAT FOREIGN MINISTERS MEETING SHOULD OCCUR AT THE END OF JUNE IN HELSINKI. FRG PLANNING ALSO USING LATE JUNE DATE AND AGREEMENT ON MANDATES IS POSSIBLE BETWEEN MAY 21-25. MAIN OBSTACLE IS SOVIET EFFORT TO BUILD PRINCIPLES OF "NON- INTERFERENCE" INTO INTRODUCTORY SECTION OF MANDATES ON HUMAN CONTACTS AND EXCHANGE OF INFORMATION. SINCE FRG AND EUROPEAN ALLIES ARE ONLY PREPARED TO GIVE FORMAL AGREEMENT TO MINISTERIAL DATE ONCE FINAL REPORT APPROVED, POSTPONEMENT OF MINISTERIAL OPENING UNTIL EARLY OR MID- JULY CANNOT BE EXCLUDED. LATE JUNE OPENING WOULD REQUIRE CONCLUSION OF MPT BY END OF MAY.

2. AS TO THE SECOND (COMMITTEE) PHASE, THE US AND SOVIET WISH TO BEGIN IN JULY SEEMS UNREALISTIC IN VIEW OF THE EXTENSIVE NATIONAL PREPARATIONS THAT WILL BE REQUIRED FOLLOWING CONCLUSION OF MPT. IT WOULD BE MORE REALISTIC TO OPEN THE COMMITTEE PHASE IN MID TO LATE SEPTEMBER. ACCORDINGLY, THE SOVIET WISH TO HOLD THE THIRD CSCE PHASE IN THE AUTUMN SEEMS UNFEASIBLE SINCE THE COMMITTEE STAGE MUST INVOLVE THOROUGH PREPARATIONS AND THE WEST CANNOT PERMIT ITSELF TO BE PLACED UNDER THE PRESSURE OF SPECIFIC DEADLINES. THE FRG, ITS EC- NINE ALLIES AND MANY NEUTRALS ASSUME THE COMMITTEE PHASE WILL LAST SOME FIVE TO SIX MONTHS. A REALISTIC TIME FOR THE THIRD PHASE THEREFORE WOULD BE " THE BEGINNING OF 1974".

3. VENUE. THERE IS AGREEMENT THAT THE MINISTERIAL WILL BE HELD AT HELSINKI. THE EC- NINE ALLIES AND MANY NEUTRALS SHARE OUR STRONG OPPOSITION TO THE SOVIET DESIRE TO HOLD ALL THREE PHASES AT HELSINKI. THE FRG AND ITS EC- NINE COLLEAGUES WOULD FAVOR GENEVA FOR THE SECOND PHASE ON THE GROUNDS OF ITS SUPERIOR FACILITIES AND TECHNICAL PROVISIONS. THE FRG WOULD PREFER VIENNA FOR THE THIRD PHASE BUT WOULD NOT EXCLUDE HELSINKI FOR THIS FINAL STAGE.

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4. LEVEL OF REPRESENTATION. THERE IS AGREEMENT THAT THE FIRST PHASE WILL BE AT THE LEVEL OF FOREIGN MINISTERS AND THAT THE COMMITTEE PHASE WILL BE AT THE EXPERT LEVEL UNDER THE DIRECTION OF SPECIAL AMBASSADORS; AMB BRUNNER WILL REPRESENT THE FRG DURING THE COMMITTEE PHASE. THE SOVIETS HAVE STRONGLY URGED A SUMMIT MEETING

FOR PHASE THREE; THE GERMAN AND GENERAL WESTERN
FORMULATION AT THIS TIME IS " AT THE APPROPRIATE LEVEL"
BUT A SUMMIT LEVEL FINALE WOULD NOT BE EXCLUDED IF
JUSTIFIED BY EXTRAORDINARY RESULTS.

5. CSCE/ MBFR PARALLELISM. ARTICLES 8 AND 9 OF THE
BRUSSELS NATO COMMUNIQUE MAKE CLEAR THE WESTERN VIEW THAT

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DODE-00 SAJ-01 IO-03 PRS-01 RSR-01 /070 W

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R 162013 Z MAY 73
FM AMEMBASSY BONN
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S E C R E T SECTION 02 OF 03 BONN 07047

LIMDIS/ NOFORN

THERE IS NO FORMAL LINKAGE BETWEEN CSCE AND MBFR. WE
PERCEIVE THE TWO PROJECTS AS HAVING A FACTUAL CONNECTION
IN THAT BOTH DEAL WITH SECURITY ISSUES AND SHOULD
PROCEED IN THE SAME GENERAL TIME PERIOD BUT THE DIFFERENT
CIRCLE OF PARTICIPANTS AND EVIDENTLY LONGER DURATION OF
MBFR CAUSE US TO REJECT A FORMAL AND EXPRESS LINKAGE.
THIS POSITION " PROVIDES YOU (THE CHANCELLOR) A GOOD
BASIS VIGOROUSLY TO REJECT THE REPORTED SOVIET EFFORT TO
ESTABLISH A NEW LINK; (I. E. MBFR NEGOTIATIONS COULD ONLY
BEGIN ONE MONTH AFTER THE CONCLUSION OF CSCE THIRD
PHASE.)"

6. BASKET- III: HUMAN CONTACTS. THE KEY TO AN EARLY

CONCLUSION OF MPT IS TO REACH AGREEMENT ON A MANDATE CONCERNING PRACTICAL MEASURES TO IMPROVE CONTACTS AMONG PEOPLE. MENTION OF ONLY CERTAIN " PRINCIPLES" IN THE INTRODUCTION TO THIS MANDATE WOULD BE UNWISE, SINCE THE CATALOGUE OF PRINCIPLES IN THE SECURITY AREA (BASKET- I) WOULD APPLY TO ALL AREAS OF COOPERATION, INCLUDING BOTH

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THE ECONOMIC AND HUMAN CONTACTS FIELDS. THE BASKET- I PRINCIPLES CONCERNING NON- INTERFERENCE AND RESPECT FOR VALID LAWS ALSO WOULD SO APPLY. WE DO NOT AIM TO CAUSE " DIVERSIONS" IN THE SOCIAL SYSTEMS OF OTHER PARTICIPATING STATES, BUT RESTRICTIVE USE OF ONLY SOME PRINCIPLES IN BASKET- III INTRODUCTION WOULD AWAKEN THE FEAR OF FREEZING THE CURRENT QUALITY OF HUMAN CONTACTS RATHER THAN EXPANDING THEM AND THUS BUILDING TRUST AMONG PEOPLES IN EUROPE. THE WEST AND MANY NEUTRAL STATES ARE NOT PREPARED TO ACCEPT REFERENCES TO " NON- INTERFERENCE" AND RESPECT FOR EXISTING LEGISLATION IN THE INTRODUCTION TO BASKET- III. YOU (THE CHANCELLOR) SHOULD " URGENTLY REQUEST THE USSR, IN THE INTERESTS OF PROGRESS, TO REVIEW THEIR POSITION AND TO CONSIDER ACCEPTING A GENERAL REFERENCE TO THE BASKET- I CATALOGUE, WITH THE POSSIBLE ADDITION OF SPECIFIC REFERENCES TO THE PRINCIPLES OF " HUMAN RIGHTS AND INDIVIDUAL FREEDOMS" AND " SOVEREIGNTY". OTHERWISE, THERE WILL BE NO AGREEMENT IN HELSINKI ON BASKET- III OR BASKET- I. IF SUCH AN AGREEMENT IS NOT REACHED " IN THE NEXT DAYS", THE LATE JUNE START FOR THE MINISTERIAL MEETING WILL NOT BE POSSIBLE.

7. AS TO THE SUBSTANCE OF BASKET- III, THE SOVIET UNION PREFERS LIMITING AGREEMENT TO " RECOMMENDATIONS" WHILE THE WEST FAVORS " MUTUALLY AGREED MEASURES". THE SOVIETS SO FAR OPPOSE TREATMENT OF FAMILY REUNIFICATION, FACILITATION OF MARRIAGES AND INDIVIDUAL TRAVEL, AND THE IMPROVEMENT OF WORKING CONDITIONS FOR JOURNALISTS. BUT THE RUSSIANS HAVE AGREED TO A SPANISH TEXT WHICH DOES CONTAIN THESE TOPICS. WE WANT THE MANDATE TO ENUMERATE ALL THOSE ITEMS IN THE ORIGINAL WESTERN MANDATE SO ALL THESE SUBJECTS CAN BE DISCUSSED DURING THE COMMITTEE PHASE.

8. BASKET- I PRINCIPLES. AFTER REFERING TO BRANDT' S LETTER TO BREZHNEV REPORTED IN BONN 6568, BRIEFING PAPER SAYS FRG READY ONCE AGREEMENT REACHED ON BASKET- III TO RESOLVE PRINCIPLES DISPUTE ON FOLLOWING BASIS:

- A. " INVIOABILITY OF FRONTIERS" WILL FOLLOW DIRECTLY AFTER " NON- USE OR THREAT OF FORCE" WITHOUT EXPLICIT CONNECTION EMBODIED IN LINKING FORMULATION " IN PARTICULAR". THE

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TWO PRINCIPLES WOULD BE " IN RELATIONSHIP
OF JUXTAPOSITION RATHER THAN SUBORDINATION".
THE GOAL WOULD BE TO KEEP OPEN THE POSSIBILITY
OF PEACEFUL CHANGE.

B. SOURCES OF PRINCIPLES WOULD BE UN CHARTER
AS INTERPRETED THROUGH FRIENDLY RELATIONS
DECLARATION; THERE WOULD BE NO REFERENCES
TO BILATERAL INSTRUMENTS. (COMMENT: FONOFF
REP CONFIRMED THAT SOVIETS HAD TOLD
BRUNNER IN HELSINKI THEY COULD ACCEPT
THIS FORMULATION AND FONOFF OFFICIALS
TOLD EMBOFF THAT FRG PREFERS UN CHARTER
AND FRIENDLY RELATIONS DECLARATION TO
SWEDISH FORMULATION " PRINCIPLES
AND PURPOSES OF UNITED NATIONS". GIVEN
SOVIET ACCEPTANCE OF FRIENDLY RELATIONS
DECLARATION, FRG WOULD NOT INSIST UPON
SPELLING OUT INTER- RELATIONSHIP
AND EQUAL STATUS OF PRINCIPLES, SINCE
THE REFERENCE TO THE FRIENDLY RELATIONS
DECLARATION AFFORDS THAT QUALIFICATION.
END COMMENT)

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DODE-00 SAJ-01 IO-03 PRS-01 RSR-01 /070 W

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R 162013 Z MAY 73

FM AMEMBASSY BONN

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LIMDIS/ NOFORN

C. SELF- DETERMINATION AND HUMAN RIGHTS
ENUMERATED AS PRINCIPLES IN BASKET- I
CATALOGUE. (COMMENT: FONOFF SOURCE
SPECULATED THAT SOVIET AGREEMENT TO
FRIENDLY RELATIONS DECLARATION REFERENCE
WAS DESIGNED TO AVOID EXPLICIT SPELLING OUT
OF EQUAL STATUS OF HUMAN RIGHTS AND SELF-
DETERMINATION, SINCE THESE TWO PRINCIPLES ARE
NOT RECOGNIZED IN SOVIET INTERNATIONAL LEGAL
LITERATURE AS BEING SEPARATE PRINCIPLES OF
INTERNATIONAL LAW. END COMMENT)

9. MILITARY ASPECTS. THE MODIFIED POSITION OF THE US
AND THE USSR ON REFERENCE TO " SUPPLEMENTARY" FUNCTIONS
OF POLITICAL/ MILITARY SECURITY HAS FACILITATED
POSSIBILITY OF COMPROMISE IN THIS DIFFICULT AREA.
THE SOVIETS STILL HAVE DIFFICULTY IN AGREEING TO
VOLUNTARY NOTIFICATION OF " LARGER (MILITARY) MOVEMENTS".
WE BELIEVE THIS WOULD BE USEFUL AND YOU (THE CHANCELLOR)

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SHOULD ASK SOVIETS TO REVIEW THEIR OBJECTIONS TO THIS
CONCEPT BUT THIS IS NOT A BASIC POINT FOR THE FRG;
(COMMENT: BRANDT PITCH ON THIS SUBJECT RESULT OF STRONG
REQUEST OF GERMAN DEFENSE MINISTRY. END COMMENT)
FRG ALSO WOULD WISH CSCE " DECLARATION" AND NEUTRAL
REFERENCE TO MBFR TALKS; PROBLEM HERE IS RESERVE POSITION
OF FRENCH. FINALLY, NON- ALIGNED COUNTRIES ADVOCATE
" REPORTING DUTY" OF MBFR PARTICIPANTS, SOMETHING THE FRG
BELIEVES GOES TOO FAR.

10. SWISS PROPOSAL. THIS ITEM IS TERMED " INTERESTING"
BUT GIVEN CROWDED AGENDA FRG DOES NOT EXPECT CSCE TO
LEAD TO " ELABORATED MEASURES" IN THIS FIELD.

11. BASKET- III: ECONOMIC COOPERATION. AGREEMENT ON
MANDATES IS EXPECTED SOON. THE TEXT OF MANDATES FOR
SCIENCE AND TECHNOLOGY AND ENVIRONMENT MANDATES HAVE
ALREADY BEEN AGREED. IN THE TRADE MANDATE, THE EAST
WISHES TO LAY BASIS IN GENERAL PRINCIPLES OF MFN AND
NON- DISCRIMINATION. WEST SEES THIS AS SUBJECT FOR
BILATERAL NEGOTIATIONS. ON INDUSTRIAL COOPERATION
MANDATE, WE HOPE THAT SOVIETS WILL NOT SEEK TO CONDITION
SUCH COOPERATION BY REFERENCE TO CERTAIN RESTRICTED
PRINCIPLES, SUCH AS NON- INTERFERENCE. SOVIETS WANT
REFERENCE TO " EUROPEAN PROGRAMS OF ECONOMIC COOPERATION".

WEST COULD ACCEPT FORMULATIONS SUCH AS " PERSPECTIVES
FOR COOPERATION" AND " PROJECTS OF COMMON INTEREST";
AGREEMENT SEEMS POSSIBLE.

12. BASKET- IV: FOLLOW- ON. THE CHANCELLOR SHOULD
RECOGNIZE THAT THE SOVIETS ARE NOT DRAMATIZING THIS
ISSUE SO FAR. GIVEN A SUCCESSFUL CONFERENCE, FRG WOULD
NOT EXCLUDE " CONSULTATIVE COMMITTEE" WITHOUT DECISION
MAKING POWERS, WHICH COULD MEET ONCE OR TWICE A YEAR
IN VARIOUS CAPITALS. SO FAR, THERE HAS BEEN NO SERIOUS
DISPUTE IN HELSINKI ON THIS SUBJECT.
HILLENBRAND

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*** Current Handling Restrictions *** LIMDIS
*** Current Classification *** SECRET

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 16 MAY 1973
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BONN07047
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730546/aaaajhfc.tel
Line Count: 345
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: SECRET
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators:
Previous Classification: SECRET
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Aug-2001 by boyleja>; APPROVED <11-Sep-2001 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980217
Subject: CSCE: CHANCELLOR'S BRIEFING PAPER FOR BREZHNEV VISIT TO BONN.
TAGS: PFOR, GW, UR
To: EUR
HELSINKI
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SECSTATE WASHDC
VIENNA

Type: TE

Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005